G.R.S. 57.]

L.R
Cts 20 of 28, 2

File No. 44

Serial Nos. nil

1901-12

GENERAL AND REVENUE SECRETARIAT.

(Courts)

Part A: Manuscript
for

Establishment of the District and Sessions Court at Bangalore

Serial Nos. nil.

GPB—5,000—20-3-06.

1911–12

NERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

C15 File No. 44-11

File Heading.

Establishment of the District and Sessions Court at Bangalore.

From

No. Dated Received

Diary No.	Enclos.	Spare Copies.	Serial No.

Brief Abstract of Letter.

NOTES AND ORDERS.

Recd 13/8

G: R. S. 12]
General and Revenue
Secretariat.

~~CONFIDENTIAL.~~

of 19

Serial No.

Subw: No 106 115
29. 3. 11.

C. 276
8. 4. 1911.

An immediate one
The West Lothian Dist Council
Court at Bangalore

(Circulated to Councillors -
2 - On a careful consideration
of the subject & review of the
history of the Dist Court and
of the conflicting principles
held & remedies suggested in regard
to the completion of work in the
Chief Court, it seems to me
that it is no longer expedient
that Govt should delay
matters, if that it behoves Govt
to face the situation with equal
justice & caution, admit that
they made a mistake in
abolishing the Dist & Sessions Court
and direct that it shall be
re-established with effect from
the reopening of the Courts after
the Summer recess. The ~~half~~ [illegible]
Half measures are not good.

Secy to Govt

Chief Secretary
9/8/11

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

1788

The subject may be considered with advantage at a meeting of Council, with perhaps the Judges of the Chief Court. I believe the present proposals have not been sent up as those of the Chief Court.

The city Magte has full work in Bangalore and almost the full quantity in Mysore. I am not sure that it would be a step in the right direction to abolish either of these Courts. In such important cities, a city magistrate seems to me to be a necessary functionary. I would if necessary add some work more and economise in other ways.

Formerly these the Mysore city Magte was doing the municipal work in addition to other miscellaneous duties. I would suggest the abolition of one Vice-President's place & make the city Magte a

GPB—50,000—12-8-10

Serial No.

Vice-President, Crediting the Municipal Contribution to Govt. He ought to be able to manage the work efficiently, as there is now another Vice-President.

In Bangalore, the inquest work may be delegated to Police Offrs in the generality of Cases, but the City Magte should be free to take up important Cases.

It would probably be necessary to have both a Dist & a Sub Judge's Court, in Bangalore; and both the Courts may be worked on the same principles as similar Courts elsewhere. After some experience, it may be possible to abolish one of the Subordinate

GPB—50,000—12-8-10

Serial No.

Judge's Courts

In the matter of appeals to the Chief Court, we may abolish the distinction between the different divisions. All appeals of 1000 Rs & more in value from all divisions may come to the Chief Court & all Crl appeals in which 1st cl Mag^tes sentence to 1 year, or 500 Rs fine or more in every division.

To give relief to some overworked Courts, we may perhaps reduce the jurisdiction of Mffs in Blr Bangalore, Shimoga & Srirangapatna to 1000 Rs, the cases above that value going to Sub-

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

File No. of 190

Serial No.

judges. This will give relief to Seringapatna Ct (now overworked) to Shimoga Court to which we may give Tarikere & Koppa and to Bangalore Court whose files will be enlarged by the reduction of Sm. C. jurisdiction of Sub Judge to 100 Rs

I have noted the suggestions that occur to me, which may be discussed at a meeting.

H. V. Nanjundayya

27/3/11

1st Councillor

The congestion of work in the Chief Court has rendered it necessary to reopen the questi

NOTE—Contn. sheet.

GPB—55,000—27-4-08

Serial No.

of re-establishing the District & Sessions Court at Bangalore whether the Disposals can be accelerated & the arrears reduced is a question for the Judges of the Chief Court to consider. But there is no doubt that the only way out of the present impasse is to institute the District & Sessions Court. There is a strong public opinion in favor of this measure and Government cannot well ignore it. I would therefore vote for the re establishing of such a Court in Bangalore.

I would not recommend the abolition of the Sub Judges Court or the City Magistrate Court at Bangalore. Such a measure may prove to be worse than the abolition of the District & Sessions Court and may have to be remedied much sooner. When the new District Court is establish

G. R. S. 12]
General and Revenue Secretariat.

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the judicial work of the Courts may be redistributed so as to provide full work for all the Courts in Bangalore. This is a matter of detail which may be settled in consultation with the Chief Court.

A city Magistrate's Court is indispensable in these days and public opinion and administrative necessity would demand its being kept up.

The separation of municipal Vice Presidentship from the city Magistrate has evolved as a matter of necessity and the combination of the two functions is not likely to give satisfaction to the public. The duties of the combined office would be too heavy for any person to perform in an efficient manner.

29/3/11

29/3/11

29/3/11

Dewan

29/3/11

Serial No.

~~Jurisdiction~~

A district Court may be re-established without any legislation. We shall only have to withdraw the original jurisdiction conferred on the Chief Court by Notn. For the present, no other changes need be made ~~in the Chief~~ except reducing the Sub. Judge's jurisdiction to 10000 Rs.

The Chief Court may be kindly asked to keep all the first appeals on its own file and dispose of them as soon as possible. If the D. J & Sub J have less work than they can finish, some of these pending appeals also may be transferred.

It is likely that the arrears may be disposed

GPB—55,000—27-4-09

Serial No.

of in a year. After that, the Bh. C may submit proposals for readjustment of work so as to distribute evenly between different Courts, and so as to remove pressure on heavy Muffs Courts, such as of Chikballapur &c.

H.V. Nanjundayya

6/4/14

109/72
9.4.11

Extract from the Proceedings of the 26th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 5th & 6th April 1911.

VI. Subject. - (Clause x of Schedule).

Re-establishment of a District and Sessions Court at Bangalore.

OPINION OF THE COUNCIL.

The District and Sessions Court should be re-established at an early date, the work being distributed between the Chief Court and the District Court on the following lines:-

The original Civil and Criminal jurisdiction conferred on the Chief Court by Notification No.J.3295/Cts.198-06-3 dated 26th April 1907 may be withdrawn by a suitable Notification.

The pecuniary jurisdiction of the Sub-Judge of Bangalore may be reduced to Rs.10,000.

The Chief Court may be asked to keep all the pending first appeals in Civil cases on its own file and dispose of them as soon as possible. If desirable and necessary some of these pending appeals may be transferred to the District Court and Sub Court.

After the existing arrears of work are disposed of, which may occupy the Chief Court for about a year if due diligence is exercised, that Court may be invited to submit proposals for a re-adjustment of work so as to secure an even distribution between different Courts, and so as to remove pressure on heavy Munsiffs' Courts, such as those at Chickballapur &c.

The

GPB—300—29-4-09

The necessary provision will be made in the budget of 1911-12.

Sd. T. Ananda Rao,

DEWAN OF MYSORE.

"Extract"

C. S. Balasundaramayya

Offg. Secretary to Govt

Serial No.

File re the re-establishment of a Dt & Sessions Court at Bangalore is forwarded to the Fin Secy for favour of remark & opinion.

17/4/11 C Balasundaram Ayr

A This case is very bulky. But the note attached to Mr Chandrasekharaiyer's demi-official letter to the Dewan dated 18.2.11 and the notes commencing from the Dewan's minute dated 9.3.11 seem to contain sufficient material for a correct understanding of the case and I have read them with great care.

In my humble opinion the papers clearly shew that far from there being any necessity for increased expenditure on account of Courts of Law, there is a strong case made out in them for considerable retrenchment on the whole by the abolition of certain courts.

In the note referred to at A, the necessity for re-establishing the District and Sessions court at Bangalore is urged in order to relieve the congestion of work in the Chief

GPB—50,000—12-8-10

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Court. But to meet the cost of the Dist + sessions court wholly or partly, two alternative proposals have been suggested, either of which apparently meets the requirements of the Chief Court though the second is rather more acceptable to the Chief Court than the first.

The first alternative is to abolish the Sub-Judge and Asst Sessions Judge's court at Bangalore. The work of this court will be taken up by the D + S. Judge excepting the small Cause suits of value between Rs 100 + Rs 300 which will be made triable as original suits by the Principal and additional Munsiffs. It is stated that this additional work can be coped with by the Munsiffs if they are capable men + this statement is fairly borne out by the statistics given in the note. Under this arrangement the Chief court will transfer to the D + S Judge all fresh Sessions cases.

The second alternative is to abolish the City Magistrate's Court of Bangalore and if possible that of Mysore also. It is pointed out on the basis of statistics that the "first class" regular and miscellaneous file of the City Magistrate at Bangalore is by no means heavy and can be taken up by the other Assistant Commissioner Magistrates at Bangalore

NOTE— Contn. sheet.

GPB—50,000—12-8-10

Serial No.

specially as there is a "Civil officer" who has nothing to do for a considerable part of the year. The work other than the "first class" work can be managed by the Amildar of Bangalore Taluk and the Benches of Honorary magistrates. It is really waste of Govt money to keep a highly paid City magistrate with a special staff to do work about 90 per cent of which is shown under the head "Triable by any Magistrate". It is also pointed out that a similar arrangement is quite feasible in the Mysore District where it is understood the City magistrate's work is much lighter than at Bangalore.

Now it will be seen that the arrangements mentioned in the second alternative proposal above have no direct connection with relieving the congestion of work in the chief Court. Even if the congestion is removed by any other means than the creation of the D & S court the economies referred to can be effected; and in my humble opinion they should be effected as soon as practicable.

The retrenchment suggested in the first alternative viz. the abolition of the Sub-Judge and Asst. Sessions Judge cannot be carried out unless the court of D & S Judge

NOTE.—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

is created. So I would leave the Subjudge and Asst. Sessions Judge as he is for the present.

For removing the congestion of work in the Chief Court I would venture to submit a quite simple proposal for the consideration of Govt. There are three Judges in the Chief Court. The Courts vacation is about 2 months. If the judges work during the vacation, the work turned out will be that of one Judge for half a year or half a judge for one year. Will the relief which the Chief Court get under the first alternative scheme from the D & S Judges be more than half a Judge's work? Certainly not, for the D & S Judge will have practically the whole of the work of the present sub-Judge and Asst Sessions Judge.

I therefore submit for consideration whether instead of re-establishing a D & S Court it would not be sufficient for Govt to pass an order that until the arrears of the Chief Court are cleared, the long annual vacation should cease*, the Judges of course becoming entitled to Privilege leave under the ordinary rules. The relief of congestion of work by this means will in my humble opinion be much greater than with

* The public notification should of course issue from the Chief Court itself. The Public will thus know that the Judges are forgoing their vacation & in the interests of the Public & the confidence of the people in the Chief Court will be increased. GK 6/4/11

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

the help of a D & S Judge only a small part of whose time will be available for work transferred from the Chief Court.

This takes me to be broader question viz. whether the time has not arrived in this State for doing away with the inconvenient and to my mind irrational practice of treating the courts differently from other offices in the matter of holidays & vacations. I know that in British Provinces the difference is still maintained but why should we adhere to a practice simply for the sake of uniformity with British provinces, if the practice is inconvenient and unreasonable? Moreover in some British provinces at any rate the evil is not so great as here. In Bengal, for instance, the long Civil courts vacation is only about a month & the long general holiday of 12 days corresponding to Dasara falls within this month. But here the Civil courts enjoy the Dasara 12 days seperately and have a vacation of one month and 11 days in addition!

I would therefore respectfully suggest that the Govt may with great advantage once for all declare that the Courts should henceforth only enjoy the general gazetted

NOTE—Contn. sheet.

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Serial No.

holidays, all officers employed there in being subject to ordinary privilege leave rules. There should be no long vacation. To keep our officers & establishments in certain classes of enforced idleness for 1½ or 2 months of the year is not necessary in the climate of Mysore and is not in the best interests of the State. Most of the officers concerned will probably be glad to get the benefit of ordinary privilege leave rules. Under the present arrangements they sometimes simply idle away the vacation but when they want leave they have to go on half-pay.

The adoption of the proposal made above will entail some extra cost on account of acting allowances when Judicial officers go on privilege leave but the extra cost will not be much and should be more than covered by reduction of ~~the number of courts~~ or avoidance of increase to Court establishments.

J. S. Chatterjee
18/4/11

Received
20-4-11

Dewan

9/4/11

NOTE—Contn. sheet.

GPB—50,000—12-8-10

(19

Submitted to His Highness.

In His Highness' order dated 24th September 1910 the proposals contained in my note No.1500 dated 23rd September 1910 in regard to measures for relieving the congestion of work in the Chief Court were sanctioned. These proposals were to drop the idea of re-establishing a District and Sessions Court at Bangalore, and to amend the Chief Court Regulation so as to empower a single judge of the Chief Court to hear appeals in Civil suits.

2. A Bill to amend the Chief Court Regulation was accordingly introduced in the Legislative Council and referred to a select Committee. As will be seen from the opinions expressed by them, the majority of the members of the Select Committee are not in favour of the Bill, but are for abandoning the proposed measure which, they think, will be very unpopular and will not reduce work to any appreciable extent.

3. The only remedy that will satisfy the public is to re-establish the District and Sessions Court of Bangalore. The case for this step is well put in an informal note sent to me at my request by Mr. Justice K.S. Chandrasekhara Aiyar with his D.O. letter dated

(26

18th February 1911. His idea is to find the money for the whole or the greater part of the cost of a District Court by abolishing the Subordinate Judge, or the City Magistrate, preferably the latter, the work of the City Magistrate being divided among the other Magistrates stationed at Bangalore.

4. The question has been considered in Council, and the Council is of opinion that a District and Sessions Court should be re-established at Bangalore at an early date, the work being distributed between the Chief Court and the District Court on the lines indicated in the Council Resolution.

5. The papers having been sent to the Financial Secretary for his remarks, he has recorded a note differing with the opinion of the Council. In his opinion "the papers clearly show that far from there being any necessity for increased expenditure on account of Courts of Law, there is a strong case made out in them for considerable retrenchment on the whole by the abolition of certain Courts". He means that the City Magistrate's Court may in any case be abolished, as the distribution of the work of that Court among other Magistrates' Courts has no direct connection with the question of relieving congestion of work in the Chief Court. For the relief of con-

(29

congestion of work in the Chief Court he makes his own pro posal that the annual vacation of the Chief Court, as well as all other Civil Courts, should be done away with, the Courts working all the year round as other public offices, and the Judges being entitled to privilege leave.

6. I submit the papers for His Highness' orders.

7. The subject has been discussed ad nauseam and I do not know that any good purpose will be served whether by further discussion or by further vacillation. The out standing feature of it all is that the abolition of the District Court was a mistake which requires prompt correction. When this is done, it seems to me that other and subsidiary points can be considered by and bye and in due course, such as the abolition of the City Magistrate' Courts at Mysore and Bangalore, the abolition of Court re cesses and the curtailment of holidays. These latter may possibly increase the output of work, though it is feared that there will be considerable opposition to such a measure. But even so, it cannot dispense with the necessity for re-establishing the District Court.

bu

Dharwar
9 May 21

22

Record of Cases submitted for the Orders of His Highness the Maharaja

10.5.11
2000.

Subject.

Proposal to re-establish a District and Sessions Court in Bangalore.

Order.

See
See Mysore Gazette
375 - Municipalities
Boundaries and
Letters have a draft
G.O on my arrival
at Bangalore
10/5/11

Asstt Secy to
Please put up a draft
order & notes re the
Dist court
31/5/11

31/5/11

D. C. No. 2603

No. 375 of file

Vide memo enclosed 28 May 11

PRIVATE SECRETARY MYSORE

Fernhill,

26-5-11.

from Mr R H Campbell

My dear Sir,

I am directed to return File No.2000 dated 10-5-11 and to say that His Highness agrees with yourself and the Councillors that a District and Sessions Court should be re-established at Bangalore after the Recess.

At the same time His Highness is very strongly of opinion that it should be possible to effect savings in other directions to meet the extra cost of the re-established courts. There are various proposals made in the file on this point and His Highness wishes to make it a condition of his approval to the opening of the new District Court, that some reduction should simultaneously be made in the number of Magisterial Courts now existing in the Bangalore City or District, or that a substantial reduction of establishments, in some other direction either Revenue or Judicial, should be brought into force so as to provide some savings to pay for the cost of

(23)

of the new Court.

His Highness will be obliged if you will take this matter into early consideration and formulate proposals in accordance with his wishes within a month's time. Is the City Magistrate's Court at Bangalore an absolute necessity? Could not the work of this Court be divided up in the manner suggested in Mr.Justice Chendrasekhara Iyer's note on the File?

Whatever reduction may be suggested can,at best, be only experimental and it is worthwhile making even a radical experiment for the sake of retrenchment. The worst that can happen is that we may be obliged hereafter to retrace our steps, but such a contingency need not deter us from making an experiment for the sake of such an important object. His Highness feels that he need hardly reiterate the necessity for retrenchment in our expenditure.

Yours sincerely,

R Ramanujam

T.Ananda Row Esq.,C.I.E.,

Dewan of Mysore.

Serial No.

Two drafts are put up for approval on the lines of the order of 13th Dec 1902 when a Dist Court was opened at Bangalore

The draft order and notification direct (1) the withdrawal of the ordinary original Civil and Criminal jurisdiction conferred on the Chief Court in April 1907

(2) the Establishment of a District & Sessions Court at Bangalore and

(3) the reduction of the original Civil jurisdiction of the Subordinate Judge of Bangalore to suits & proceedings of the value of Rs 10,000/- and under

Please see Council Resolution.

The date from which the new arrangements are to take effect is fixed at 19th June '11 ... Vide para 1 of Mr Campbell's Do.

It is also understood that the Subordinate Judge of Bangalore will continue to be an Asstt Sessions Judge. It will be open to the Sessions Judge to hear or not hear his Cases according to the State of business in

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

the two Courts.

In para 4 of the Council Resolution it is stated that if considered necessary & desirable some of the pending Civil appeals may be transferred to the District Court and Sub Court. ~~[illegible]~~ I respectfully beg to submit that ~~[illegible]~~ the legality of transferring appeal Cases from the Chief Court to the Sub Court has been questioned on a former occasion. As the point is not free from doubt I have omitted the word "Sub Court" in the order.

1/6/11. Sd

Sec'y.

P.S. It would appear that the jurisdiction conferred on the Ch. Ct. under Sec 14 of the Ch. Ct. Reg^n to hear first appeals can not now be withdrawn as such withdrawal would also affect the ~~pending~~ appeals now pending. Please see Sec 14 regd to.

Sd

1/6/11.

Sec'y.

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

The draft order and notification may be approved.

In regard to appeals under S. 14 of the Regulation, the Chief Court will still entertain all appeals in the Bangalore Dt & may transfer all of them from time to time to the District Court. ~~Amendment of the Regn will be necessary~~ A withdrawal of jurisdiction in regard to appeals may affect the power of the Chief Court to 'hear & dispose of' all pending appeals.

In view of the creation of a Dt Sessions Court it is worth consideration whether the Subji may not cease to be an asstt Sessions Judge. He may perhaps be a magte of the 1st class & ~~take~~ with local jurisdiction ~~to~~ over the City. ~~This~~ Such an arrangement will make it easy to abolish the separate City magte's

2nd Cr & Dewan)

CSB
1/6/14

Note—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

I have made an addition of a paragraph to the order to express what I believe is the intention of the Govt. I think that the jurisdiction under S. 14 may be withdrawn later on.

I have some doubt whether the Sub. Judge's unlimited jurisdiction can be withdrawn. Unlike Ss. 12 & 14 of the Ch. Ct Regn, and S. 16 of the Civil Cts Regn does not contain a provn for withdrawing powers once given. It is not quite certain whether S. 21 of the General Clauses Regn (1899) can apply to withdrawing of powers like this & if it does, whether a provn of the Court Cts Regn of 1883 can be affected by it on the ground that the provn concerned was added by an enactment (III of 1922) passed after the passing of the said General Clauses Regn

(26

G. R. S. 12]
General and Revenue Secretariat.

File No. of 19

Serial No.

I should like to have the opinion of the Ch Ct & Govt Adv. on the question. In the meanwhile, the para. may perhaps be omitted. The Chief Court may transfer all cases above 10000 Rs. to the District Court.

Dewan

Hon

2/6/11

2d

2/6/11.

Note D.O. Fr 2680 dt 4.6.11 from the 2d Councillor to the Dewan, & the Dewan's D.O. No 2399 dt 7-6-11, to the Offg Chief Judge, are placed on the file.

BR

21.6.11.

NOTE – Contn. sheet.

GPB—50,000—12-8-10

18-2-11

My dear Sir,

I send herewith a typed copy of the informal note regarding the re-establishment of the Vice-Consulate at Bangalore.

With kind regards

Yours sincerely

T. Ananda Rao Esq C.I.S

Encl: to Mr Chandrasekhara's letter dt 18 Feby

The effect of the abolition of the District and Sessions Court of the Bangalore Division on the work of the Chief Court has been two-fold. Formerly, a certain number of first appeals used to be transferred to the District Judge's file from time to time, whenever work was heavy in the Chief Court; this is no longer possible, and all appeals of the Division are now disposed of by the Chief Court. In the next place, the original Civil and Criminal work of the District and Sessions Court has been added on to the Chief Court, with the result that one Judge has to be deputed to sit on the original side for at least half the month on an average. The additional work referred to is indicated by the following figures:-

^ minus that assigned to the Subordinate Judge and Asst: Sessions Judge

(3

	1908-9	1909-10
Original suits instituted	4	1
" disposed of	0	3
Original Miscellaneous cases		
Instituted	34	23
Disposed of	8	27
Sessions Cases - Committed	50	52
Disposed of	47	49

2. As a result of the above arrangement, the work of the Chief Court has fallen in arrears in spite of the best efforts of the Judges. The following figures will show the state of the pending file at the end of December 1910:-

~~Regular appeal~~	1907-8	1908-9	1909-10	1910-11	Total
Regular appeals.	6	146	228	128	505
Second appeals	1	83	111	53	248
Miscellaneous 1st appeals	0	1	13	38	52
" 2nd "	0	0	5	4	9
Civil Petitions	0	2	12	20	34
Civil Revision petitions.	0	1	19	18	38
Civil Referred cases					

Criminal appeals	25	25
Revision petitions	19	19
Petitions	1	1
Revision cases	6	6
Referred cases	2	2

(33)

3. The Criminal work it will be seen is well in hand. But the Civil work is considerably in arrears. Almost the whole of the first and second Civil appeals filed in 1909-10 and a large portion of those filed in 1908-9 remain untouched, besides, of course, those instituted during the current official year, which cannot be taken up for the next two years, till, that is, the cases of 1908-9 and 1909-10 are cleared off. A ~~dax~~ delay to this extent means virtually a denial of justice in a large number of cases. This state of things cannot be looked upon without concern and calls for very early action on the part of Government. The remedy is obvious, and that is the re-establishment of the District and Sessions Court, which past experience shows to be a permanent necessity for the Division. It is believed that the

Govern..ent

(34)

Government are also convinced of the necessity for such re-establishment on administrative grounds, but that the question of funds presents some difficulty, and that the prospect of giving early effect to the measure depends on its being possible to make the additional cost available by means of retrenchments in other directions.

4. In this connection two alternative proposals have been suggested for consideration. One is the abolition of the Court of the Subordinate Judge and the other the abolition of the City Magistrate's Court of Bangalore, and if possible that of Mysore also.

5. The first of these proposals, if given effect to, would set free the pay of an Assistant Commissioner of at least the first grade, towards the pay of a District Judge who must be taken to be of the last grade on Rs.700,

since

(3.

since the 1st and 2nd grades are already held by the two existing District Judges. The establishment of the Subordinate Judge plus one or two hands that could be spared from the Chief Court establishment would be available for the new Court. The additional cost would thus be only about Rs.250 per mensem and this, it is hoped, can be provided without much difficulty.

6. It remains to consider the effect of the above proposal on the distribution of work among the various Courts concerned. The Chief Court would of course retain all the appeals already on its file, and transfer only the fresh Sessions cases to the District Judge who would take over the existing work of the Subordinate Judge to his file. The opportunity may perhaps be taken of fixing the maximum small cause jurisdiction of the District Judge at Rs.100, instead of Rs.

(36)

300 as is the case with the Subordinate Judge of Bangalore, the suits between Rs.100 and Rs.300 being made triable as original suits by the Principal and Additional Munsiffs. The following statistics will give an idea as to how the files of these Munsiffs will be affected by the proposed arrangement.

Courts	Civil Suits instituted						Civil Suits disposed of					
	1908-09			1909-10			1908-09			1909-10		
	Original Suits	Small Cause Suits		Original Suits	Small Cause Suits		Original Suits	Small Cause Suits		Original Suits	Small Cause Suits	
		not exceeding Rs 100	not exceeding Rs 300		not exceeding Rs 100	not exceeding Rs 300		not exceeding Rs 100	not exceeding Rs 300		not exceeding Rs 100	not exceeding Rs 300
Sub^e Judge, Bangalore	58	583	461 *	53	610	455 *	66	676	448 *	56	655	482 *
As at present		1102			1120			1190			1193	
On reducing S.C. Jur^n		641			665			742			711	
R. M^ffs Court												
As at present		1721			1663			1491			1587	
After additional work		349 * 2070			311 * 2034			341 1832			374 1961	
Addl. M^ffs Court												
As at present		1061			982			856			1006	
After additional work		112 * 1173			84 * 1066			107 963			108 1114	

	Regular Criminal Cases filed				Disposed of				Criminal Misc. Cases		Civil Misc. Cases & Sessions	No. of Appeals heard
	Triable by Asst. Sessions Judge	Triable by City Magistrate	Triable by Asst. or 2nd Class Magistrate	Triable by Asst. Commissioner	Triable by Asst. Sessions Judge	Triable by City Magistrate	Triable by Asst. or 2nd Class Magistrate	Triable by Asst. Commissioner	Disposed of	Pending		
1908-09	44	128	1036	1208	63	918	124	1105	508	513	4	36
1909-10	54	95	1263	1412	40	810	90	940	510	518	1	40

7. The objection that the files of the Principal and Additional Munsiffs will under this arrangement be made rather more heavy than they are at present is not a very serious one, and the work can be coped with without difficulty if the presiding officers are capable men. Even this objection can be fully obviated under the other proposal that will now be explained.

8. Under the alternative proposal, the Subordinate Judge's Court will be retained in addition to the District Court, as there is work for both, but the City Magistrate's Court as a separate Court will be abolished and its work distributed among the other Magistrates in the District. The work that is now being done by the City Magistrate of Bangalore may be gauged from the following figures:-

9. A good deal of the City Magistrate's time is now taken up with the holding of inquests, which further causes much distraction to his regular Magisterial work. It is a duty which can be easily transferred to the Police, who indeed perform it everywhere outside the cities of Bangalore and Mysore. The bulk of the regular Criminal work of the City Magistrate is such as can be done by a second or even by a third class Magistrate. The Amildar of the Bangalore Taluk, was divested of his criminal powers only a few years ago in order to give him more ~~khm~~ time for looking after Military camps. But a separate Assistant Commissioner has now been appointed for the last mentioned duties, so that the Amildar may again be appointed a second class Magistrate. There are also the Benches of Honorary Magistrates recently constituted. The

"first class" regular and miscellaneous file of the City Magistrate is by no means heavy, and may be taken up by the Assistant Commissioner Magistrate in charge of the Bangalore Sub-Division, or divided between him and the other Magistrates in the District, including the Civil Officer when not engaged on Military camp duty. A similar arrangement seems to be quite feasible in the Mysore District, where there are at least three Assistant Commissioners on general duty besides the District Treasury officer. The abolition of both these City Magistrates Courts will provide more than enough funds to meet the cost of a District and Sessions Court; while the abolition of only one of them, the Bangalore Court which is generally presided over by an Assistant Commr: of the 1st grade will furnish the greater portion of the cost.

10. If the second proposal be adopted, the work of the Civil Courts can be very conveniently re-adjusted in the following manner:-

I. The Principal and Addl: Munsiffs.

1. The maximum limit of the original jurisdiction to be lowered from Rs.2,500 to say, Rs.1,000.

2. Small cause jurisdiction up to Rs.50 as at present.

II. The Subordinate Judge.

1. Original Civil work above say Rs. 1,000 and up to Rs.10,000.

2. Small cause suits up toRs.100

III. The District and Sessions Judge.

1. Original Civil work above Rs.10,000

2. First appeals newly (i.e. hereafter) instituted from inferior Civil Courts in the Division.

3. Sessions cases.

11. The second of the two proposals appears thus to be the more suitable one in several respects. But whichever arrangement commends itself to Govt, it is hoped that they will be pleased to give early effect to it.

D. O. No. 2680

GOVERNMENT OF MYSORE

4 June 1911

My dear Sir

The Chief Court will not require the Court hall on the ground floor any more, as they can hold the Bench Court in the upper hall, and when necessary Single judges can

hear their Cases in
Chambers. There are
certain rooms adja-
cent to the lower hall
which are not I be-
lieve indispensable to
the Chief Court. They
will, I think be Suf-
ficient for the
Office of the D J

If it is possible to remove some minor offices from these buildings to the Ballard brooie house, which I believe is vacant more space may be secured for the Chief & District Courts. But I am not sure

of our being able to
get any more offices
removed from the
Pub. Office building, and
anyhow it will take
time & negociation to
do so. For the pre-
sent, I think there
is no alternative
to place being found

(47)

GOVERNMENT OF MYSORE

in the Space in the
possession of the
Chief Court
I would suggest
that the Offg Ch. J
may be consulted
at once.

Yours Sincerely
H Manjunadayya

T. Ananda Rao Esq C.I.E.
Dewan of Mysore

D. O. No. 2399
En file

Jaipur
7 June 11

My dear Sir

Allow me to take the liberty of asking you to favour me with your opinion and suggestions regarding the draft that you will find on the top of the Schedule relating to the Constitution of the District Court at Bangalore which it has enacted. There is also the question of accommodation for the Court - There is no space available in

I shall be glad to know from you that you find it all right

the Dutch Town buildings
and it will be a great
blessing if you could
~~find~~ accommodate
the Court in Town and
at the Assizes at the
Court House in the
Main Public Buildings - If in the
course of the Reference
we find this is wanted,
we may adopt ~~that~~ ~~to~~
some plan ~~for~~ ~~of~~
and ~~—~~ ; Make his rooms available
for you - ~~but let this~~
Mutatis

(27

3

Experiment will take time
& some negotiation &
whether it be feasible
immediately —

Yours sincerely

Rathbone Place

(92

D. C. No. 2705

Camp No. A.

Mysore

9th June 1911.

My dear Sir

I beg to acknowledge the receipt of your d. o No. 2399 dated the 7th instant, & to state that the draft of the notification proposed to be issued by Government in regard to the re-constitution of the District Court at Bangalore appears to me to be all right, including that portion of it which refers to the withdrawal of the unlimited original jurisdiction conferred upon the Subpurge by Notification No. J 3296, Courts-198-06-2, dated the 26th April 1907. The question of the legality of such withdrawal was discussed

* post up
C.R.
21/6/11

by me with the Legal Connection who now agrees with me in thinking that it is authorised by Section 21 of the General Clauses Regulation

The District Courts may, as proposed, be located in the rooms now at the disposal of the Chief Court in the Main Public Office Buildings

Yours Sincerely

J. Ananda Rau Esqre, C. I. E,

Dewan of Mysore

Circulated to Councillors -
In these circ[illegible] the two drafts for Mysore can be issued so soon as the retrenchment per contra required in Mr Campbell's [illegible]

Serial No.

letter re 3% of 26th May is determined upon — In this behalf

The first & first steps seem to be (1) to invest the Amildar Magistrate of Bangalore Taluk with first class powers — The present Amildar Mr Hays is competent to exercise these powers and he shall have to take care that only Amildar Officers are posted for the charge of the Bangalore Taluk — (2) The City Magistrate should be invested of the duty of attending to inquests — (3) The 'Civil Officer' may be invested with 1st Class Magistrate powers Drafts of orders in this effect should be sent up through 2nd Commissioner —

~~Similarly in Mysore City, the Amildar of the Taluk~~

The proposal to ~~take~~ to reduce the number of stipendiaries in the District by one has to be taken up & decided upon — This is probably best done by amalgamating the two Devanhally ~~Hoskote~~ Hoskote and ~~Devanhally~~ Devanhally Hoskote Magadi Venugal Taluks, or ~~vice versa~~ retaining the two Districts as shown below —

NOTE—Contn. sheet.

GPB—55,000—27-4-09

Serial No.

Taluk — To be assigned to

Bangalore — Office of the personal Asst to the Civil Surgeon

Anekal Hoskote Devanhally & Hoskullapa — Asst Commr Bangalore

Channapatna with Closepete Kankanhally Magadi & Ramanagaram — Asst Commr Closepete

?

This subject has to be settled down after a general discussion by Commissioner

There are so many different questions involved that I think it would be better to settle them at a meeting.

We have not been in the habit of investing Amildars with 1st class powers. 2nd Cl. Powers would be quite sufficient, and the great number of cases that occur can be disposed of under them.

I believe the present Civil Officer is Mr. Hassan Ali unless he is transferred, it is out of the question to give 1st class power

NOTE—Contn. sheet.

GPB—55,000—27-4-15

(81)

Serial No.

to this Officer.

Could not the Offices of Civil Officer & Cly Magte be amalgamated.

As far as I can see, there seems to be no objection to the rearrangement of divisions suggested by the Dewan.

For ~~de~~ taking away the inquest work from the Cly Magte, I believe an executive order of Govt is sufficient

23/6/11

It is quite possible to reduce the number of Subdn Asstt Commrs in the Bangalore Distt by one, in the manner suggested by the Dewan on the last page.

The Deputy Commr may keep the Bangalore Taluk under his own charge, the Civil Offices helping him in doing

17

NOTE—Contn. sheet.

GPB—55,000—27-4-09

A draft order has been put in a separate file, which is under circulation. CK 29/6/14

Magistrate of Bangalore holds the Inquests is no longer in force, having been superseded by the recent Police Regulation. All that is required is an order from Government transferring this duty to the Police.

If the Civil Officer is considered Competent to exercise 1st Class powers, there is nothing to prevent his being so invested.

If he has not these powers he cannot do it

As regards the proposed amalgamation of City Magistrate & Civil Officer I fear the duties will be inconsistent. The former should be a stationary Officer at Hdqrs - a Civil Officer is liable to be called away at any time - often for several days at a stretch. The drafts in the file may be approved

JCS

JCS 29/6/14

JCS 29/6/14

A draft order about Inquests in the City is also put up in a separate file.

Dewan

CK 29/6/14

12298
30.6.11

GPB—50.000—13-5-08

Submitted to His Highness.

Hi finapl.

In regard to the re-opening of a District Court at Bangalore, I submit herewith for approval (1) a draft order and (2) a draft Notification. In these the 21st August 1911 (the date on which Mr. Ismay returns from leave) has been put down as the date on which the District Court is to come into existence, so that no acting arrangement may have to be made for a short period. Some little time will also be required for settling details.

2. With regard to the question of savings to be effected per contra, I have indicated my ideas in my note dated 21st June 1911. My proposals are (1) to abolish one of the Revenue Sub-Divisions in the Bangalore District and regroup the taluks as shown below:-

<u>Present grouping.</u>

1) Bangalore Sub Division - Bangalore, Anekal, Hoskote
2) Dodballapur -do- - Devanhalli, Dodballapur, Nelamangala
3) Closepet -do- - Channapatna (including Closepet), Magadi and Kankanhalli.

<u>Proposed grouping.</u>

1) Deputy Commissioner, with Civil Officer as his Personal Assistant to be in charge of Bangalore taluk.
2) One Assistant Commissioner at Bangalore to be in charge of Anekal, Hoskote, Devanhalli and Dod-

(34)

proposals. The Second Councillor agrees to the regrouping of taluks, and apparently also to the relieving of the City Magistrate of the duty of holding inquests, for which he notes that an executive order of Government is sufficient. He adds that we have not been in the habit of investing Amildars with first class magisterial powers, that second class powers would be quite sufficient for them, and that if the Civil Officer is to be appointed First class Magistrate, Mr. Hassan Ali who is now holding that appointment will have to be transferred elsewhere.

5. I beg to recommend that my proposals which are concurred in by the First Councillor may be sanctioned. Mr. Hassan Ali may be invested with second class powers to begin with. He is an Assistant Commissioner of 8 years' standing and ought to be able to acquit himself well as a second class Magistrate, if he is to continue to be borne on the cadre of Assistant Commissioners. The necessary draft order is submitted for approval.

6. In the draft order the District Magistrate of Bangalore is asked to transfer as much as possible of the magisterial work of the City Magistrate to the Amildar and the Civil Officer, and to report after a month what residue of work is left to the City Magistrate. The ultimate arrangement to be kept in view would be:-

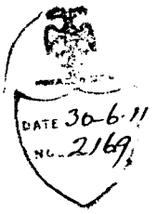
(1)

(38)

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Draft-order and Notification in regard to the re-opening of a District-Court at Bangalore.



D.O. No. F 2791

F 2233

Dear Mears
D.O. No/2
with the draft
amended
7/July/11

The Palace, Mysore,

3rd July 1911

4

My dear Sir,

I am directed to convey His Highness' approval to the draft order and notification ~~xxxxxxxxx~~ regarding the new Bangalore District Court.

His Highness asks me to say however that he would prefer the arrangements in the Bangalore District (aimed at reducing Establishment) to be made tentatively and a report to be called for as to the working of the same at the end of one year.

Yours sincerely

R Lambert

T.Ananda Rao, Esq.,C.I.E.,
Dewan of Mysore,
Bangalore.

G. R. S. 12]
General and Revenue Secretariat.

File No. of 19

Serial No.	
	The necessary drafts are submitted
	Dewan through 2nd C. HB 12/7/11
112.	Drafts appd SA 14/7/11
12506 14.7.11	13/7/11 HB SA 14/7/11
	Dewan's order To be resubmitted after the State Budget is passed. ZH 15/7/11
TVT Receipt of fees	HB 17/7/11
	Three drafts appd by the Dewan 2-8-11
	Issue the drafts at once (today) HB 5/8/11 SA 5/8/11

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

Ch. File No. 44 of 1911-12.

Serial No.	
1	To the Registrar, Chief Court " Compr to Govt " District Magistrates of Bangalore Tumkur and Kolar. N° 482-6 d 5.8.11. Directs ~~Notifies~~ the withdrawal from the Chief Court of the original Civil and Criminal jurisdictions conferred on the Chief Court, the establishment of a District and Sessions Court at Bangalore; and the withdrawal of unlimited original Civil jurisdiction conferred on the Sub Judge, Bangalore & requests the Chief Court to submit the necessary proposals, &c.
2	To the Compiler, Mysore Gazette N° 487 d 5.8.1911. Notifies the above Changes.
	To the Registrar, Chief Court N° 488 d 5.8.1911 Forwards a Copy of the above Subd. On the abolition of the District and Sessions Court at Bangalore in 1907, the Circuit System of Sessions was also abolished in the Bangalore Division as ordered in para (3) d

Joris 9.5.11.
11.8.11

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G.R.S. 11]

1911-12

GENERAL AND REVENUE SECRETARIAT.

(Courts.

NOTES.

Cts. File No. 44-11.

FILE HEADING.

District and Sessions Courts at Bangalore.

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

The Assistant Secretary has personally ordered the issue of the accompanying draft D.O. Signed fair copy is also put up.

Issued N.J. 5248 8-8-1911

8-8-11

NOTES—First Sheet.

G. R. S. 12]

2

General and Revenue Secretariat. | C to File No. 44 of 1911-12.

Serial No. 3

From the Registrar, Chief Court
N 771/49 of 12.8.1911.

Forwards proposals regarding the establishment, accommodation, furniture, etc., required for the District and Sessions Court at Bangalore.

V Subd with a draft Progs as ordered by the Secy. Extracts of paras (7) and (8) regarding supply of books and ~~and~~ texts with if approved be separately dealt with in Branches III and V respectively

Yes. 3

Hcs (22) SN (11) 15-8-11 — Branch II has to be consulted. 15.8.11

15/8/11

Secy. 4

Br II for remarks.

C83 15/8/11

5

Batta, Witnesses & Contingencies. While allotting the amounts asked it might perhaps be better to state that the Chief Court, where work is reduced who Contingents can spare something only

H mis 194

NOTE—Contn. sheet.

GPB—5,000—26-6-11

G. R. S. 12]

General and Revenue Secretariat. | File No 44 of 1911-12

Serial No.

their parts should be made to have perteen to the Dist. The whole result being to witnesses can be have opened as an appellate Ct, it is presumed, does not hear witnesses & consequently have no need to pay them. Similarly General para about furniture etc that is set free in the Dist & should be have opened to the Dist to be economise Cost. Here the ... may perhaps be added to the draft. 15-84

Dr Secy)

6 Where is the order (I mean the original file with order of 14-4-) sanctioning the establ- of this Court? Is it available for reference? I do not remember to have seen it 15/8

Draft Turnpaisance 15/8

Flag V

7 Seen: Thanks. I agree with Asst Secy's note above 15/8

Dr III) 8 15/8

Ch/16/8 Subd. Please see pencil addition at the end of para (4).

(2) As regards furniture, the Chief Court have agreed to send the available articles to the new

NOTE—Contn. sheet.

GPB—5,000—26-6-11

G. R. S. 12]

4

General and Revenue Secretariat. | File No. 44 of 1911-12

Serial No.

Court (para 6 of the Paper under disposal) submitted for orders.

Hcg (622) SN(II)
16-8-11.

Please put up fair draft resubmitted to 2nd Cr. Dewan above.

chg
16/8/11

Submitted with a typed draft

Hcg (622) SN(II)
16-8-11.

SA
16/8/11

SA
16/8/11

2nd Cr. Dewan

Draft approved

16/8/11

Draft approved by Dewan

Issue above.

chg
17/8/11

SA
17/8/11

NOTE—Contn. sheet.

GPB—5,000—26-6-11

G.R.S. 26]

Cs File No. 44
Serial No. 1

Diary No. of letter replied to

No. J 482-6.

General and Revenue Secretariat
(Cs-)
, *the* 19 .

To No Dy.

Date of issue 5-8-11

Signed by Sm S. Hiriyanniaya

Appts Dewan
4/8/11

111

Order.

The Govt of H.H. the Maharaja are pleased to sanction the following arrangements with effect from the ~~19th June 1911~~ 21st August 1911 (original Sd.)

(1) The ordinary Civil jurisdiction of a District Court and the ordinary original Criminal jurisdiction of a Sessions Court over the Revenue Districts of Bangalore, Kolar and Tumkur conferred on the Chief Court of Mysore in Notification no. J. 3298 Cts 198-06-3 dated the 26th April 1907 are withdrawn from the Chief Court

(2) A District and Sessions

over.

SUBJECT.

court shall be Established
at Bangalore with Civil and
Criminal jurisdiction over the
Revenue Districts of Bangalore,
Kolar and Tumkur.

(3) The unlimited original
Civil jurisdiction conferred
on the Subordinate Judges
Bangalore in Notification no
J 3296 /Cts 198-06-2 dated
the 26th April 1907 is withdrawn
and his jurisdiction shall
Extend to all original Suits
and proceedings of a Civil nature
of which the amount or value
of the Subject matter does not
Exceed Rs 10,000/-

2. The Chief Court is requested
to ~~[illegible]~~ forward proposals
at a very Early date, for providing
the necessary accommodation,
Establishment & furniture due to
the new District Court Hon'ble

List of enclosures,

Copied by

Examined by

GPB—20,000—12-8-10

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

3. The Chief Court ~~are~~ is requested to keep all the pending first appeals in Civil Cases on its own file and dispose of them as soon as possible. If desirable and necessary ~~some~~ these pending appeals may be transfered to the District Court

4. It is considered unnecessary at present to withdraw the jurisdiction conferred on the Chief Court under S. 14 of the Bl. Court Regulation, but it is expected that the District Judge will be able to dispose of all ~~Regular~~ Civil & Civil appeals that would in the absence of such jurisdiction lie to his Court, and which may be transferred to him by the Bl. Court

~~Opened at Bangalore~~. It is believed that a part of the Existing Establishment of the Chief Court will be available for the Establishment of the new Court

5. The necessary notification will be published in the Gazette and provision for the new Court will be made in the Budget for 1911-12

Sty. Sec. to Govt. Gen'l & Rev. Dept.

To

The Registrar of the Chief Court
The Comptroller, Mysore Govt.
The District Magistrates of
Bangalore, Kolar & Tumkur

COND - 6 Copies

5/5/11

MGCPB—30,000—5-4-05.

G.R.S. 26]

File No. 44-11

Serial No. 2

Diary No. of letter replied to

No. J 487.

General and Revenue Secretariat

(CS-)

, *the* 19 .

To

Notification.

Date of issue 5-8-11

Signed by Rao C Balasundaram Avl

In Exercise of the powers conferred by the Mysore Civil Court Regulation, 1884, the Mysore Civil Courts Regn, 1883 and the Code of Criminal Procedure 1902, the Govt of H.H. the Maharaja are pleased to sanction the following arrangement with Effect from the 21st Aug 1911

(1) The ordinary original Civil Jurisdiction of the District Court and the ordinary original & Criminal Jurisdiction of a Sessions Court over the Revenue Districts of Bangalore, Kolar and Tumkur

over.

SUBJECT.

Conferred on the Chief Court of Mysore in Notification no. J. 3298 / Cts 198-06-3, dated the 26th April 1907 are withdrawn from the Chief Court

(2). A District and Sessions Court shall be Established at Bangalore with Civil and Criminal jurisdiction over the Revenue Districts of Bangalore, Kolar and Tumkur

(3) The unlimited original Civil jurisdiction Conferred on the Subordinate Judge of Bangalore in Notification no J. 3296 / Cts 198-06-2 dated the 26th April 1907 is withdrawn and his jurisdiction shall Extend to all original Suits and proceedings of a Civil nature of which the amount or value of the subject matter does not Exceed Rs 10,000/-

B. O.
CSR

Sd M. Seetharama Rao

List of enclosures

To the Compiler, Mysore Gazette for publication.
By order of the Rt. Hon'ble the Chief Commissioner

Copied by

Examined by

GPB—20,000—12-8-10

Survey Supt's Office
Bangalore, 12th August

Dear Sir,

Your d.o letter 2
yesterday regarding the Shifting
of the Inam Superintendent's Office
from the District Office to the
Public Office Buildings.

I have no objection
to locate the Office in the

Public Office Buildings, as proposed, provided that arrangements are made for removing the Record racks from their present place and fixing them in one of the rooms allotted for the Office now

Yours Sincerely
(Signed) D Shaw

V.A. Rajamannar Mudaliar Esqr
Registrar, Privy Council.

True Copy

P.B. Chakravarthi
Officiating Chief Judge

G.R.S. 26]

File No.

Serial No.

Diary No. of letter replied to

No. J 5-24. /ct 544-11

General and Revenue Secretariat

(CS)

, *the* 19 .

J 58-194

Date of issue 8-8-4

Signed by S. Hirisamaiya

To

Dear Sir

Advertg to para (2) of Govt Order J No 1482-86 ~~5~~ Ct 544-11-1 I am desired

request you to be so good as to forward to Govt at a very early date, the Subsidiary proposals necessary to bring the District and Sessions Court ~~recently established~~ at Bangalore into full working order with effect from the 21st August 1911.

I have &c

(Sd) S ~~Hirisamaiya~~

over.

SUBJECT.

V.A. Rajaratna Mudr. Esq. Regr. Civil Ct

Very Urgent

1911/12

From

The Registrar of the
Chief Court of Mysore.

To

The Secretary to the Government
of Mysore, Genl. & Rev. Depts.

Dated 12th August 1911.

Despatched 14-8-11

Received

General No. 771

No. 49

Enclosure No. 1.

Submits for the consideration and orders of Govt. certain proposals in regard to the accommodation, Establishment and furniture for the new District & Sessions Court to be constituted at Bangalore on 21st Instant

Assistant Ill

Kindly have this worked up at once & a draft order sent up

CJS 14/8/11

GPE—1,000—9-7-09

DIARY No. J483

Very urgent

No: 771 Rec 49

SECTION: Courts
FILE No. Cts 444
SERIAL No. (3)

Chief Court of Mysore,
Bangalore dated, 12th August 1911.

From,

V. A. Rajaratna Mudaliar Esquire,
Registrar, Chief Court of Mysore.

To,

C. S. Balasundaram Iyer Esquire,
Offg: Secretary to Government,
General and Revenue Departments.

Sir,

With reference to paragraph 2 of the Proceedings of Government No.J. 482-6/Courts-44-11-1, dated the 5th Instant, I am directed to submit for the consideration and orders of Government the following proposals in regard to the accommodation, Establishment and furniture for the new District and Sessions Court, Bangalore.

2. Accommodation:- After a personal inspection of the District Office Buildings and after consultation with the Deputy Commissioner of Bangalore, the Judges of the Chief Court are of opinion that the most feasible and convenient arrangement would be to transfer the Inam Commissioner's Office from the District Office Buildings to the rooms now appropriated for the Sessions work of the Chief Court and consisting of one hall 30' x 28', an adjoining room 24' x 18' and another room 14' x 13', all on the ground floor of the Public Office Buildings. It is believed that the accommodation will be ample for the Office establishment of the Inam Commissioner. To save time the Inam Commissioner has been written to demi officially and his reply× is awaited. If the rooms occupied by the Inam Commissioner's Office are set free, the District Court can reoccupy its old Court house and rooms in the District Office Buildings, now in the occupation of the Sub

× Since rec'd. copy of is forwarded herewith.

Judge

Judge. The rooms occupied by the Revenue Sub Division Office now abolished being also available for the Civil Courts, the necessary adjustment in regard to the location of the Subordinate Judge's and the two Munsiffs' Courts including their Process Establishments will be made in consultation with the Deputy Commissioner.

3. Establishment:- Prior to the abolition of the District and Sessions Court of Bangalore in 1898, the establishment of the Chief Court consisted of 32 hands. Owing to the transfer of Original Jurisdiction, 4 more hands were sanctioned. When the District Court was reestablished in 1903 the establishment was reduced by two hands and the post of Assistant Registrar and Manager was also abolished. It was then represented in this Office letter No. 1463-54 dated 31st August 1903, that a larger reduction was not feasible owing to the marked increase of work (especially Criminal work). When the District Court was abolished and original work was in consequence assigned to the Chief Court in July 1907, the same establishment of 34 hands continued and was not added to. In the revision of establishment effected from 1st July last 2 hands were done away with in order that the revision might not entail any extra cost. Some reduction of work was also then anticipated as the re-establishment of the District Court was under contemplation. Though it is not very convenient to spare any out of the existing 32 hands, yet as the establishment of the District Court has to be formed without much extra cost one official on a salary of ₹.70/- will be spared to take the place of Head Munshi in the new District Court.

4. The Deputy Commissioner says that by the new arrangement the Dodballapur sub Division will be of the 1st class and will have to be strengthened by the addition of one clerk on ₹. 20/- and one clerk on ₹.15/- and that this will set free from the abolished Office of the Bangalore Sub Division 1 clerk on ₹. 50/-, 1 clerk on ₹.35/- and the difference between the pay of a clerk on ₹.25/- and a clerk on ₹.15/-, i.e, ₹.10/-. The

sanctioned

sanctioned scale of the Clerical establishment of District and Sessions Court is as under:-

1. Sheristadar and Nazir on.....₹.100/-.
1. Assistant Nazir on.....₹. 35/-.
1. Head Munshi on.....₹. 70/-.
1. Deputy Munshi on.....₹. 50/-.
1. 3rd Munshi on.....₹. 40/-.
1. 4th Munshi on.....₹. 25/-.
1. 5th Munshi on.....₹. 20/-.
1. Head Clerk on.....₹. 50/-.
1. Deputy Clerk on.....₹. 30/-.
1. 3rd. Clerk on.....₹. 20/-.
1. Apprentice Clerk on.....₹. 10/-.

The additional establishment which will have to be sanctioned by Government will be a Sheristedar on ₹.100/-, 3 Munshies on ₹. 40, 25 and 20 and 3 Clerks on ₹. 50, 30 and 20.

5. The scale of the menial establishment of the District Court is as shown below:-

1. Muchi on.....₹.12/-.
1. Daffadar on.....₹.10/-.
1. Dafterband on.....₹. 8/-.
2. Peons on.....₹. 7/- each.
2. Peons on.....₹. 6/- " "
1. Masalchi on.....₹. 5/-.
1. Sweeper on.....₹. 5/-.
1. Lascar on.....₹. 7/-.

The Deputy Commissioner says that the Dafadar (pay ₹.9/-) of the abolished sub Division, 2 peons on ₹.7/-, 2 peons on ₹.6/- and a lascar on ₹.7/- are available. Thus the extra hands to be sanctioned are a Muchi on ₹.12/-, a Dafterband on ₹.8/-, a Masalchi on ₹.5/- and a sweeper on ₹.5/-, besides an increase of one rupee to the pay of the Dafadar.

6. Furniture

6. Furniture:- With regard to the furniture, the immediate requirements of the new District Court can for the present be met from the furniture available in the Chief Court, and if any extra furniture is required, the same will be intimated to the Chief Court by the District Judge when the necessary action will be taken.

7. Library:- The Law reports and other books, with the Almirahs in which they were kept, were sent to the Revenue Commissioner when the District Court was abolished. They may be ordered to be returned to the District Court.

8. Tents:- The tents of the late District Court were returned to Government. It is presumed that the District Judge will have to hold Circuit Sessions at Kolar and Tumkur. A hill tent, a rowti and a necessary tent will have to be supplied.

9. Stationery :- The Superintendent of Stationery may be directed to comply with indents from the Chief Court for the forms Registers and Stationery, required for the new Court.

10. Contingencies &c:- A sum of Rs.600/- has to be provided for the contingencies of the new Court, as alsc a sum of Rs.650/ for travelling allowance to the Judge, Rs.450/- for his establishment and Rs.800/- for batta to witnesses in Sessions Cases for the remaining portion of the current year. Against these items the batta amount provided in the Budget for the current year for the Chief Court is available minus Rs.100/- spent under that head already.

11. Work:- As there are no Sessions cases for trial before the 1st September, 50 appeals of small value which are ready for hearing and in which the parties are represented by Advocates, will be transferred to the District Court from the Chief Court so as to give the District Judge sufficient work to start with on the 21st Instant.

12. I am to request the favour of very early orders as the establishment will have to be constituted before the date fixed for the opening of the new Court.

I have the honour to be,

Sir,

Your most obedient servant,

B.V.

REGISTRAR.

NB.

Cts 44-11-4

Proceedings of the Govt of H.H. the Maharaja of Mysore.

R e a d:-

G Govt Progs No. J.482-6/Cts. 44-11-1 dated 5th Aug 1911 sanctioning the establishment of a District and Sessions Court in Bangalore with effect from the 21st August 1911.

2. Letter No. 771/49 dated the 12th August 1911 from the Registrar of the Chief Court of Mysore forwarding proposals in regard to the accommodation Establishment, furniture, etc required for the new District & Sessions Court.

(Here enter the letter in full).

- - - - - - - -

Order thereon:-No. J 610-15/Cts 44-11-4.
Dated Bangalore, 17th August 1911.

Accommodation.

The suggestion of the Chief Court that the Inam Commissioner's Office may be transferred from the District Office Buildings to the rooms now used for Sessions work in the Chief Court and consisting of one hall and two rooms on the ground floor of the Public

Office Buildings, is approved.

Establishment.

2. The Govt are also pleased to sanction the marginally noted clerical and menial Establishment at an aggregate cost of Rs~~5~~ 523/- per mensem for the newly established Court at Bangalore. As against this expenditure the establishment of the Chief Court will be reduced by one hand on Rs50-4-70 and a clerk drawing the maximum pay in that grade will be transferred to the District Court to take the place of Head Munshi. The establishment set free from the office of the Revenue Sub Division in the Bangalore ~~CCD D0000001~~ District abolished in Govt Order No. R 1007-10/ L.R.21-11-1 dated 5th August 1911, viz: 3 clerks, 1 on Rs 50, 1 on Rs 35, 1 on Rs 25 and 6 menials, 1 on Rs 9, 2 on Rs 7 each, 2 on Rs 6 each and 1 lascar on Rs7 should be absorbed in filling the places on the Establishment of the District Judge's Court.

1. Sheristedar & Nazir on Rs	100
1. Assistant Nazir - - -	35
1. Head Munshi - - - - - -	70
1. Deputy Munshi - - - - - -	50
1. 3rd Munshi - - - - - -	40
1. 4th Munshi - - - - - -	25
1. 5th Munshi - - - - - -	20
1. Head Clerk - - - - - - -	50
1. Deputy Clerk - - - - - -	30
1. 3rd Clerk - - - - - - - -	20
1. Apprentice Clerk - - - -	10
	450
1. Mutchi - - - - - - - - - Rs	12
1. Daffedar - - - - - - - -	10
1. Dafterbund - - - - - - -	8
2 Peons on Rs - - - - - -	7 each
2 Peons on - - - - - - -	6 "
1 Masalchi - - - - - - -	5
1 Sweeper - - - - - - - -	5
1 Lascar - - - - - - - - -	7
	73
Grand Total Rs	523

Stationery.

3. The Superintendent of Stationery is requested to supply the necessary

forms, registers and stationery articles required for the new District and Sessions Court at Bangalore.

Contingencies & furniture

4. The proposal of the Chief Court to provide a sum of Rs600 for Contingencies; Rs650 for Travelling Allowances to the District Judge and - - - Rs450 for his establishment; and - - Rs800 for batta to witnesses in Sessions cases is also approved. The Chief Court is requested to transfer to the District Court the funds that can be spared out of their grants under Contingencies, Batta to witnesses etc in consequence of the reduction of work in the Chief Court. The proposal in para 6 in regard to the supply of furniture is approved.

5. Separate action will be taken in regard to the supply of tents and the retransfer of the Law Reports and other books from the Revenue Commissioner's office to the District Court.

6. Due provision has been made in the current year's Budget for the expenditure involved in the proposals

sanctioned above.

CSB 16/8/11

Print

Offg. Secretary to Govt.

To

The Registrar of the Chief Court
" Comptroller, through Branch II
" Rev Commr in Mysore.
" Deputy Commissioner, Bangalore
" Superintendent of Inam Settls.
" Superintendent of Stationery

End SW(11) 16/8/11

Copy to Branch I.

K.R.

16/8/11

4 Copies made KB 17/8/11

GENERAL.

NOTIFICATION.

The 6th September 1890

No. 227.—Under Section 14 of the Mysore Chief Court Regulation, as amended by Regulation II of 1890, the Government of Mysore hereby confer upon the Chief Court, jurisdiction to hear and decide all such appeals as are allowed by law to a District Court or Court of Session from judgments, orders, decrees or sentences passed by any subordinate Court, Civil or Criminal, within the local limits of the revenue Districts of Bangalore, Kolar and Tumkur, comprised in the Nundydroog Division, and until further orders, the appellate jurisdiction hereby conferred upon the Chief Court shall not be exercised by the District Court or Court of Session of the Nundydroog Division, except as regards cases of appeals which may be transferred by the Chief Court, for hearing and disposal by such District Court or Court of Session.

By Order,
T. Ananda Row,
Chief Secretary.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read Again:-

Government Order No. R.1007-1010/L.R.21-11-1 dated 5th August 1911 directing the formation of a new Sub Division in place of the present Bangalore and Dodballapur Sub Divisions with effect from the 21st August 1911 and calling for a report as to what clerical and menial establishment can be set free by the reduction of a revenue Sub Division for transfer to the newly formed District and Sessions Court .

Read:-

Letter dated 14th August 1911 from the Revenue Commissioner in Mysore, submitting with his views the proposals received from the Deputy Commissioner of the Bangalore District in the matter.

Order thereon No. A1202-S.
L.R.21-11-S
Dated Bangalore 17 August 1911.

Government agree with the Revenue Commissioner in thinking that of the existing clerical and menial establishment attached to the two Sub Divisions Viz. eight clerks and 12 menials, five clerks as noted in the margin and 6 menials may be retained for the new Sub Division Office and direct that the remaining three clerks and the whole of the menial establishment attached to the present Bangalore Sub Division Office be transferred to the New District and Sessions Court to be formed at Bangalore with effect from the 21st August 1911.

*
1 Head Clerk on Rs.50/-
1 Dy.Clerk . . . 35/-
1 3rd Clerk. 25/-
1 4th Clerk . . . 20/-
1 5th Clerk . . . 20/-

x
1 Head Clerk on Rs.50/-
1 Deputy Clerk 35/-
1 3rd Clerk 25/-

2. They are also pleased to direct that the new Sub Division be styled the Dodballapur Sub Division and that Mr. G.Aravamudu Iyengar, Senior Assistant Commissioner, Sub protem, continue in charge of that Sub Division.

G Aravamudu Ayngr

P .T.O.

Offg. Secretary to Govt:

The Revenue Commissioner in Mysore

The Deputy Commissioner, Bangalore District.

The Comptroller, Mysore Government

The Registrar, Chief Court of Mysore.

Copy to Branch III

Subd for inform atn.

HCS SN
18.8.1911

18/8/11

Proceedings of the Government of His Highness the Maharaja of Mysore.

Order No. dated

2 ~~The Government direct that~~ The grouping of taluks in the Bangalore District into Revenue Sub-Divisions, sanctioned in Government order No.R.5516-55/L.R.252-06-3 dated 29th November 1906, ~~be~~ is cancelled, and the taluks are regrouped as shown below with effect from ~~the 21st Aug 1911~~ 1st Aug 11

(1) The Bangalore taluk to be under the direct charge of the Deputy Commissioner, ~~with the Civil Officer, Bangalore~~, as his Personal Assistant.

(2) The Anekal, Hoskote, Devanhalli, ~~and~~ Doddballapur + Nelamangala taluks to be under the charge of an Assistant Commissioner with headquarters at Bangalore.

(3) The Channapatna (including Closepet Sub taluk), Magadi, ~~Nelamangala~~ and Kankanhalli taluks to be under the charge of an Assistant Commissioner with headquarters at Closepet.

3. A Notification to this effect will be published in the Gazette.

~~4. The abolition of one of the Revenue Sub-Divisions ordered above will go~~

Order

The

Government

With reference to G.O directing the establishment of a District & Sessions Court at Bangalore with effect from the 21st Aug 1911, Govt are pleased to order that the following arrangements be made in the Bangalore District with a view to reduce the cost of establishment & to meet in some measure the extra expenditure rendered necessary by the ~~last~~ establishment of the Dist & Sessions Court.

The arrangements now ordered will be tentative and the Government is requested to submit a report at the end of a year as to how far this scheme for distribution of duties works with efficiency.

some way towards meeting the cost of the re-establishment of a District Court at Bangalore, ordered in Government Proceedings No.

4. As a further measure of retrenchment. the Government desire to consider the question whether the separate appointment of City Magistrate of Bangalore cannot be abolished and his work distributed among the other officers sationed at Bangalore, or, if a small residue of work is left to him, whether it cannot be combined with the duties of any other appointment and retrenchment facilitated thereby. It is understood that his work consists chiefly of (1) first, second and third class cases arising in the Bangalore City and taluk, with the exception of City cases tried by the Bench of Honorary Magistrates;

(2) the holding of inquests in the Bangalore City.

5. The holding of all inquests by a

4. The Clerical & menial establishment set free by the reduction of a revenue Subdivision should be absorbed in the clerical & menial establishment to be maintained for the D & Sessions Court

Magistrate is now no longer required by law, and inquests are ordinarily held by the Police under the ~~ordinary~~ provisions of the Code of Criminal Procedure all over the State, except in the cities of Bangalore and Mysore. The Government direct that in future the City Magistrate of Bangalore be relieved of the duty of holding all inquests, and that this duty be transferred to the Police.

5. ~~6.~~ The Government also resolve that the Amildar of Bangalore who was relieved of his magisterial functions by Government Order No.1187-1227/Cts.196-06-6 dated 13th October 1907, be permitted to exercise such functions again. ~~A Notification appointing Mr. A. Hayes, the present Amildar, with First class magisterial powers will be published in the Gazette.~~

7. The Civil Officer of Bangalore who is an Assistant Commissioner appointed to look after Military camps in the Bangalore District, to settle compensation on account of damage to crops by

troops &c., will also be invested with magisterial powers, so that he may be enabled to do magisterial work when not otherwise employed. A Notification appointing Mr. Hassan Ali a Magistrate of the Second class will be published in the Gazette.

8. The District Magistrate of Bangalore will take steps to transfer as much of the magisterial work of the City Magistrate as possible to the Amil dar of Bangalore, and the Civil Officer and after the arrangement has been in force for one month, he will report how much magisterial work is left to the City Magistrate.

Secretary to Govt.

To

The Revenue Commissioner in Mysore.
The Deputy Commissioner and District Magistrate, Bangalore.
The Registrar of the Chief Court.
The Comptroller to Government.

Memo No.

Copy to Branch I

In the Court of the city magistrate, mysore.

Statement of Criminal cases filed and disposed of during the years 1908-09 and 1909-10.

year.	Original		Miscellaneous		Appeals		Total		Remarks.
	Filed	disposed of	Filed	disposed of	Received	disposed of	Filed	disposed of	
1	2	3	4	5	6	7	8	9	10
1908-09	527	547	255	~~236~~ 268	45	45	827	~~828~~ 860	1. The Nos. of cases shewn as disposed of in columns 3, 5, 7 & 9 includes also cases filed during previous years and disposed of during the years specified in the statement.
1909-10	363	340	251	~~268~~ 236	64	62	678	~~670~~ 638	2. In the year 1909-10, the figures shewn in columns 2 & 3 include 7 cases referred to the Court of the Bench of Honorary magistrates, mysore.
Total.	890	887	506	504	109	107	1505	1498	

21.3.1911.
Mysore.

R. Srinivasa Murthy
city magistrate.

Statement showing the number of Criminal Cases filed and disposed of in the Courts of the City Magistrates of Bangalore and Mysore and in the Court of the Special Magistrate, Kolar Gold Fields.

Years	City Magistrate's Court Bangalore		City Magistrate's Court Mysore.		Special Magistrate's Court Kolar Gold Fields	
	Number of cases filed	Number of cases disposed of	Number of cases filed.	Number of cases disposed of	Number of cases filed.	Number of cases disposed of
1908-1909.	1116 1208	1090 1165	524	543	798	811
1909-1910.	588 1412	626 940	357	335	946	942

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

File re re-establishment of Bangalore District Court.

Is it not necessary to send this to the Financial Secy?

See)

Lee
17.4.11

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—45,000—19-5-08

Particulars of touring made
by the Civil Officer (Mr Tambuchetty)
during 1907-1908

~~April~~	days.	
August-	3	
September-	3	
November-	7	
December	20	Birds in the
January 08	29	Mannaseers
February 08	12	
March 08	9	In camp with
April 08	10	Jamadars

93 days
19
74

~~Branch Report~~
1909-1910 2nd 1909

~~293~~ cases

1910-1911

2nd 472 - 448 = 24

Particulars of touring made by the Civil officer Mr Rayalu Chetty during 1909-1910

Month	Number of days	Taluk visited	Particulars
August 1909	2	Bangalore Taluk	In connection with field-firing
September 1909	2	do	do
October 1909	5	do	do
December 1909	18	Doddaballapur & Devanahalli Taluks	(Inclusive of 14 days' halt) Bi-vasandra manoeuvres
January 1910	18	Bangalore Hoskot Devanahalli	Accompanied the batteries during manoeuvres.
February 1910	15	Bangalore & Doddaballapur Taluks	do

VW
Plan participant
On the Lines of my note with
the Commander agrees -
This order about Appeals
Shd close miscellaneous matt
Next about Draft Court -
In the interim note
Kaltsay Ltd of Kanan Ali
may be interested with 2 other
persons shd join with - He is
an Appellant of Ocean Hawks
prop but ask to appoint
himself if he shd
to Kanan or
the Cause at all

G. R. S. 12]
General and Revenue Secretariat.

File No. of 190

Serial No.

Would it not be better to issue the order about reducing a Subdn separately & with effect from 1 Aug?

The inquest order may perhaps go separately, as it would be quite correct as an independent arrangement?

NOTE—Contn. sheet.

BPG—55,000—27-4-09